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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 DANIEL JAY PEREZ,

8 Plaintiff,

9 v.

10 RICHARD MORGAN, et al.,

11 Defendants.

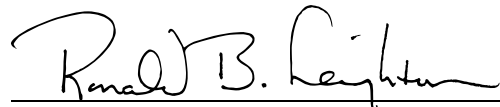
Case No. 3:16-cv-6023-RBL-TLF

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

12 The Court, having reviewed plaintiff's complaint, Defendant Guidry's motion to dismiss,
13 he Report and Recommendation of Magistrate Judge Theresa L. Fricke, objections to the Report
14 and Recommendation, if any, and the remaining record, does hereby find and **ORDER:**

- 15 1) The Court adopts the Report and Recommendation.
- 16 2) Defendant Guidry's motion to dismiss (Dkt. 37) is **DENIED**. Plaintiff
17 may amend his complaint to cure the deficiencies noted in the Court's
18 Order and shall file his amended complaint **within thirty (30) days from**
the date of this Order.
- 19 3) This matter is **re-referred** to Magistrate Judge Theresa L. Fricke.
- 20 4) The Clerk is directed to send copies of this Order to plaintiff and to counsel for
21 defendants.

22 **DATED** this 12th day of June, 2017.

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25 Ronald B. Leighton
26 United States District Judge